APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,394	10/20/2003	·Justin Monk	020375-043300US	3753

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EXAMINER
HAVAN, THU THAO

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/690,394	Applicant(s) MONK ET AL.
	Examiner Thu Thao Havan	Art Unit 3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 October 2003*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Drawings

The examiner approves the drawings filed on March 22, 2004.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **1-20** are rejected under 35 U.S.C. 102(a) or (e) as being anticipated by

Justice et al. (US publication no. 2003/0174823).

Re claim **1**, Justice teaches an account acquisition fraud management system

(page 1, section 0008), the account acquisition fraud management system comprising:

a first analysis engine, wherein the first analysis engine is associated with a first

stored value product (page 2, sections 0027 and 0033; page 5, section 0065; page 11,

section 0120); *in other words, a customer service center of Justice corresponds to a first*

analysis engine of pending application because the customer service center is

associated with a first stored value product;

a second analysis engine, wherein the second analysis engine is associated with

a second stored value product (page 2, section 0027; page 3, sections 0038 and 0043-

0047); *an authorization center of Justice corresponds to a second analysis engine of*

pending application because the authorization center is associated with a second stored

value product; and

a cross monitor, wherein the cross monitor is operable to accept a first

transaction information from the first analysis engine and a second transaction

information from the second analysis engine, wherein the first transaction information is

provided from the cross monitor to the second analysis engine (page 3, sections 0041-

0042; page 5, section 0064-0066); *in other words, a customer service representative of*

Justice corresponds to a cross monitor of pending application because the customer

service representative accepts transactions; and

wherein the second analysis engine is operable to reject a request for the second

stored value card product based at least in part on the first transaction information

(page 5, section 0068); *Justice teaches a authorization server indicates whether the*

requested authorization is approved or denied.

Re claim **2**, Justice teaches a computer readable medium accessible to the cross

monitor, wherein the computer readable medium includes the first transaction and the

second transaction information (page 2, sections 0033-0035). *Correspondingly, Justice*

teaches associated memory and a database coupled to the customer service center

server to transfer transaction information. Thus, an associated memory includes a

computer readable medium.

Re claims **3** and **7**, Justice teaches the first transaction information is used to create a transaction velocity (page 3, sections 0037-0039). *Similarly, Justice teaches a transaction velocity when he discloses the rate of changing transactions in a database.*

Re claims **4** and **8-11**, Justice teaches the first transaction information and the second transaction information are selected from a group consisting of:

a physical address, a telephone number, a virtual address, and

a load source (figs. 11 and 17).

Re claims **5** and **12**, Justice teaches the cross monitor is further operable to maintain the first transaction information is a queue associated with an issuer of the second stored value card product (page 1, section 0009; page 5, section 0067; page 6, section 0079).

Re claim **6**, Justice teaches a method for detecting fraud in relation to stored value products (page 1, section 0007), the method comprising:

receiving a first suspicious activity indication from a first issuer analysis engine, wherein the first issuer analysis engine is operable to monitor activities occurring in relation to a first plurality of stored value products associated with the first issuer (page 6, section 0079-0080);

receiving a second suspicious activity indication from a second issuer analysis engine, wherein the second issuer analysis engine is operable to monitor activities occurring in relation to a second plurality of stored value products associated with the second issuer (page 7, section 0083 and 0085); *in other words, Justice discloses a second suspicious activity indication from a second issuer analysis engine when he*

discloses subsequent validation of customer's suspicious transactions by a fraud
indicator.

maintaining the first suspicious activity indication and the second suspicious

activity indication in a global negative file (page 10, section 0111); *the authorization*

center of Justice maintains the overall database of fraud activities;

receiving an activity request from the first issuer analysis engine, wherein he

request includes a transaction information (page 10, section 0112);

based at least in part on the transaction information, accessing the global

negative file (page 10, section 0111-0117); and

providing a response, wherein the response indicates the transaction information

is related to suspicious behavior (page 9, section 0106-0108; page 7, section 0086; figs.

8, 10-11, and 13); *Justice provides a response by disclosing a suspicious behavior. An*

example of a suspicious behavior includes a call originated from outside an area code

associated with the billing address of the customer.

Re claim **13**, Justice teaches the response includes at least two of the following:

a data of the suspicious behavior, a funding account number, a denial reason, a review

status, and a reviewer note (page 9, sections 0101-0108).

Re claim **14**, Justice teaches the response includes an indication of related

accounts (page 6, section 0080). *Correspondingly, Justice discloses a list of all related*

accounts owned by the same customer.

Re claim **15**, Justice teaches the response is a first response associated with a

first account, wherein the global negative file indicates a second account associated

with the first account, and wherein the method further comprises: providing a second response to the second issuer associated with the second account (page 10, section 0111-0115). *In the same way, Justice teaches matching a fraud account in relation to a first account with a second account to verify accuracy of all transaction information.*

Re claim **16**, Justice teaches a system for suppressing fraudulent activity in relation to account acquisition (page 1, sections 0007-0008), the system comprising:

a first load monitor associated with a first issuer (page 5, section 0065-0067; page 6, section 0079; page 7, sections 0086-0088); Likewise, *Justice discloses a fraud indicator as a load monitor to assign a weighted value to an issuer;*

a second load monitor associated with a second issuer (page 5, section 0063); Justice *discloses the second load monitor is the CSR (customer service representative) to enter the order entry;*

a first enrollment monitor associated with the second issuer (page 5, section 0064); and

a cross monitor, wherein the cross monitor is operable to accept information from one or more of the first load monitor, the second load monitor, the first enrollment monitor and the second enrollment monitor, and wherein the cross monitor is operable to communicate suspicious activity to both the first issuer and the second issuer (page 3, sections 0041-0042; page 5, section 0064-0066); *in other words, a customer service representative of Justice corresponds to a cross monitor of pending application because the customer service representative accepts transactions.*

Re claim **17**, Justice teaches a request to load value on a stored value product associated with the first issuer is processed at least in part by the first load monitor (page 5, section 0065-0067; page 6, section 0079). *In other words, Justice discloses a request to load a value by a customer requests to increase his/her credit limit. In that a fraud queue threshold determines this process.*

Re claim **18**, Justice teaches first load monitor is operable to apply a velocity check on a load request (page 7, section 0084).

Re claim **19**, Justice teaches first load monitor is further operable to compare the velocity with a predefined velocity limit (page 7, sections 0086-0088). *Likewise, Justice discloses a fraud indicator as a load monitor to assign a weighted value.*

Re claim **20**, Justice teaches first load monitor is operable to provide a detected suspicious activity to the cross monitor (page 9, sections 0106-0108; page 6, sections 0079-0080; page 7, section 0084).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Anderson et al., US patent no. 6,094,643, discloses detecting counterfeit financial card fraud;

Black, pending application no. US 2002/0025062 A1, discloses identity verification of a signature;

Kocher, pending application no. US 2003/0188158 A1, discloses securing payment cards against external monitoring attacks;

Teicher, US patent no. 6,467,685, discloses system-level monitoring of the stored value; and

Walker et al., Us patent no. 6,330,544, discloses redemption vouches such as gift certificates that may be issued and used in conjunction with credit cards.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (703) 605-0200. The examiner can normally be reached on Monday-Friday from 9:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct-uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH
3/18/2005

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